

Application No. 10/800,077  
Reply to Office Action of February 12, 2009

Docket No.: VASG-P01-001

### **REMARKS**

Claims 5 and 14, as well as withdrawn claims 18-25, 61-62, and 65-81, have been canceled without prejudice. Claims 1 and 59 have been amended to include the subject matter of canceled claim 14. Support for the claim amendments can be found throughout the specification (e.g., page 3, lines 15-20; and Table 6 on pages 101) and original claims (e.g., claim 14). No new matter has been introduced and no new issue has been raised. The amendments have been made solely to expedite allowance. Applicants reserve the right to pursue claims of similar or differing scope in the future.

Applicants respectfully request reconsideration in view of the following remarks. Issues raised by the Examiner will be addressed below in the order they appear in the prior Office Action.

#### **Claim Objections**

The Examiner notes that claims 14 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims and deleting non-elected subject matter. Solely to expedite prosecution of application, Applicants have amended independent claims 1 and 59 by including the subject matter of claim 14. Accordingly, claim 14 has been canceled without prejudice.

#### **Claim Rejections under 35 USC § 103(a)**

Claims 1, 5, 7-11, 16, and 59 are rejected under 35 U.S.C. § 103(a) as being obvious over Stephenson et al. (BMC Mol Biol, 2001, 2:1-19), Bennett et al. (J. Biol chem, 1994, 268:14211-18), Taylor et al. (DDT, 1999, 4:562-67), Baracchini et al. (US Patent NO. 5801154), and Tang et al. (Nucl Acids Res, 1993, 21:2729-35). Applicants respectfully traverse this rejection to the extent it is maintained over the claims as amended.

Although Applicants reiterate the arguments already made of record that the claims as previously presented are not obvious over the cited references, Applicants have amended independent claims 1 and 59 to include the allowable subject matter of claim 14, solely to expedite prosecution of the application. Applicants believe that such amendments obviate the obviousness rejection.

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In view of the above, Applicants submit that independent claims 1 and 59 as well as their dependent claims are not obvious over the cited references. Reconsideration and withdrawal of the rejection are respectfully requested.


### CONCLUSION

In view of the above amendment, Applicants believe the pending application is in condition for allowance. Applicant believe no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 18-1945, under Order No. VASG-P01-001 from which the undersigned is authorized to draw.

Dated:

4/8/2009

Respectfully submitted,

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